

Attorney Docket No.: VRTY-001/00US

Application Serial No.: 09/851,640

Page 7

**REMARKS**

In response to a teleconference with the Examiner on October 6, 2004, Applicants now respond with amendments herein to the above-identified application. Applicants kindly request that the Examiner contact the undersigned prior to entry of this Amendment.

Claims 1-22 were previously presented in the above-identified application. Upon entry of this response, which amends claims 1, 3-6, 10, and 14-20, claims 1-22 remain pending. The Applicants respectfully request reconsideration of the rejections in view of the following remarks. No new matter has been added with this response.

**Section 102(b): Furegati.**

Originally filed claims 1, 10, and 14 and respective dependent claims 2-9, 11-13, and 15-22 have been previously rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,966,704 ("Furegati"). Applicants respectfully traverse this rejection for reasons that follow.

**Claims 1, 10 and 14.**

Applicants respectfully submit that Furegati fails to disclose each of the elements set forth in amended claim 1. For example, amended claim 1 now recites: "[a] method of parametric group processing to identify relevant documents without implementing parametric queries in a structured query language." As such, a query language statement, such as a statement in structure query language ("SQL"), need not be used to perform a logical operation. Specification, p. 5, lines 13-20, indicates that "the present invention is relatively fast since SQL statements do not have to be formed and the parametric index is relatively small, so it can be stored in primary memory, allowing for rapid processing." (emphasis added). By contrast, Furegati appears to require some kind of query language (generally synonymous with data manipulation language) to access storage. As an example, Furegati mandates at col. 4, lines 24-

Attorney Docket No.: VRTY-001/00US

Application Serial No.: 09/851,640

Page 8

31: "[r]equired is a software layer between the application and the particular storage subsystem or subsystems where application data requests are dynamically translated into the appropriate Data Manipulation Language (DML) statements for the particular storage subsystem or subsystems such as, for example, Structured Query Language (SQL)." See also col. 10, lines 7-11 ("[After a user request is split into subqueries, t]he appropriate data manipulation statements are now created depending on data bases or files actually used and the subqueries are then submitted for execution. An example of a Data Manipulation Language (DML) is known as Structured Query Language (SQL)."). Therefore, Furegati seems to require using a query language when a query (or subquery) involves accessing any of Furegati's index elements (i.e., parametric, contextual, or signal) of a storage segment. Consequently, Furegati cannot be said to teach or even suggest "[a] method of parametric group processing to identify relevant documents without implementing parametric queries in a structured query language."

So, for at least the foregoing reasons, Applicants respectfully submit that claim 1 is now in condition for allowance. Claims 2-9 and 21 depend from allowable independent claim 1 and thus are patentable for at least the same reasons. Therefore, withdrawal of the §102(b) rejection in connection with these claims is respectfully requested.

For at least similar reasons, Applicants also submit that Furegati fails to disclose each of the elements set forth in claims 10 and 14. As one example, Furegati neither teaches nor suggests performing parametric group processing to identify relevant documents without implementing parametric queries in a structured query language. As another example, Furegati neither teaches nor suggests performing parametric group processing to identify relevant documents identified in a primary memory local to a central processing unit. Consequently, Furegati cannot be said to disclose "[a] method of parametric group processing to identify relevant documents without implementing parametric queries in a structured query language," and "[a] computer readable medium for executing instructions by a central processing unit to identify relevant documents as identified in a primary memory local to said central processing unit," as set forth in claims 10 and 14, respectively, of the subject application.

Accordingly, Applicants respectfully submit that claims 10 and 14 are now in condition for allowance. Claims 11-13, 15-17 and 22, and 19-20 depend respectively from allowable

Attorney Docket No.: VRTY-001/00US  
Application Serial No.: 09/851,640  
Page 9

independent claims 10 and 14 and thus are patentable for at least the same reasons. Therefore, withdrawal of the §102(b) rejection in connection with these claims is respectfully requested.

Amended independent claims 1, 10 and 14 recite additional novel and non-obvious features that further distinguish the claimed invention over Furegati. In particular, these amended claims essentially recite: "forming a parametric index from an indexed database by arranging categorical attributes as fields of said parametric index, each of said categorical attributes referencing any number subset of elements where said categorical attributes are qualitative parameters." By contrast, Furegati fails to teach or suggest this and other like elements. Therefore, amended claims 1, 10 and 14 are further distinguishable from Furegati. Again, Applicants respectfully request the withdrawal of the §102(b) rejection in connection with these claims is respectfully requested

Attorney Docket No.: VRTY-001/00US  
Application Serial No.: 09/851,640  
Page 10

### CONCLUSION

In sum, all of the independent claims and their associated dependent claims should now be in a condition for allowance, which is respectfully solicited. If the Examiner believes that any of the claims are not in a condition for allowance, the Examiner is encouraged to contact the undersigned to resolve any outstanding issues.

Applicants maintain that the originally-filed claims are patentable, but now amend the subject application for purposes of expediting prosecution toward an early allowance. Therefore, Applicants reserve the right to reintroduce claims as originally filed. Should the Applicants choose not to reintroduce those claims, Applicants do not imply (and it should not be inferred) that the presently amended claim scope is the broadest to which they are entitled.

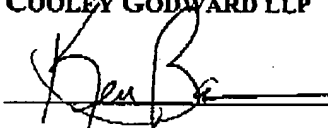
Dated: \_\_\_\_\_

10/12/04

Cooley Godward LLP  
ATTN: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663

Respectfully submitted,  
COOLEY GODWARD LLP

By: \_\_\_\_\_

  
Kenneth R. Backus, Jr.  
Reg. No. 48,861